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THERAVANCE PATENT

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## Facsimile Cover Sheet

To: Office of Patent Publication  
Mail Stop Issue Fee  
U. S. Patent and Trademark Office  
Fax: (703) 746-4000

From: Jeffrey A. Hagenah, Reg. No. 35,175  
Patent Department

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Date: August 26, 2004  
# of pages: 5 (*including this page*)

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Re: Payment of Issue Fee for U. S. Serial Number 09/846,893  
Examiner: Samuel W. Liu Group Art Unit: 1653  
Authorization to charge Deposit Account No. 50-0344 for Issue fee (\$1,330.00), Publication fee  
(\$300.00) and soft copies (\$30.00) = \$1,660.00

Attached are the following documents:

1. Fee(s) Transmittal- 1 page and a duplicate copy
2. Notification of Loss of Entitlement to Small Entity Status (37 CFR §1.27(g)(2)) – 2 pages

### Certificate of Facsimile Transmission

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Date: August 26, 2004

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By: Barbara Bryant  
Barbara Bryant

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By: Barbara Bryant  
Barbara Bryant

Date: August 26, 2004

Patent

Attorney Docket No. P-105-US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
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 Judice et al. )  
 )  
 Application No.: 09/846,893 )  
 )  
 Filed: May 1, 2001 ) Group Art Unit: 1653  
 )  
 For: PHARMACEUTICAL ) Examiner: Samuel W. Liu  
 COMPOSITIONS CONTAINING A )  
 GLYCOPEPTIDE ANTIBIOTIC AND )  
 A CYCLODEXTRIN )

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**  
**(37 CFR §1.27(g)(2))**

Mail Stop Issue Fee  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Please note:** According to the Official Gazette notice dated 26 June 2001 entitled "Clarification of 37 CFR 1.704(c)(10)", a paper filed with respect to Change of Status small/not small entity status will not result in reduction of any patent term adjustment pursuant to 37 CFR 1.704(c)(10).

Applicants asserted small entity status in this application on September 24, 2001 by payment of the basic filing fee as a small entity.

Attorney Docket No. P-105-US1  
Application Serial No. 09/846,893

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Applicants hereby notify the Office, in accordance with the requirements of 37 CFR §1.27(g)(2), that they are no longer entitled to small entity status for this application.

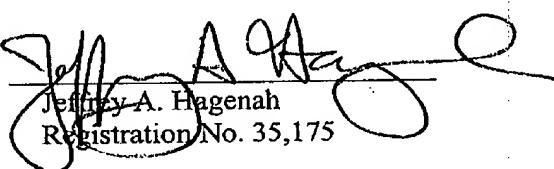
Should the Examiner have any questions concerning the loss of entitlement to small entity status, the Examiner is encouraged to telephone the undersigned agent for Applicants at (650) 808-6406.

Respectfully submitted,

THERAVANCE, INC.

Date: August 26, 2004

By:

  
Jeffrey A. Hagenah  
Registration No. 35,175

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